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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,157	10/31/2000	John D. Frazier	NCRC-0014-US (9169)	9753

26890 7590 11/18/2002

JAMES M. STOVER  
NCR CORPORATION  
1700 SOUTH PATTERSON BLVD, WHQ4  
DAYTON, OH 45479

EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT PAPER NUMBER

2172

DATE MAILED: 11/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/703,157

Applicant(s)

FRAZIER ET AL.

Examiner

Monplaisir G Hamilton

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

1. Claims 1-25 are pending.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 9/25/01 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Drawings***

3. The substitute drawings were received on 9/25/01. These drawings are accepted.

***Claim Objections***

4. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 14-20 have been renumbered 19-25. Dependencies have been altered to reflect the above change.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1, 2, 5-8, 10, 13-15 19, 21-25 are rejected under 35 U.S.C. 102(a) as being anticipated by US Patent 6092076 issued to McDonough et al, herein referred to as McDonough.

Referring to Claim 1:

McDonough discloses a method of gathering data from a database (Abstract, lines 9-12), comprising: receiving, in a server system, objects containing image data extracted from the database in response to a request received from a client system (col 7, lines 65-67; col 8, lines 1-5), the objects corresponding to one or more layers (col 6, lines 1-5); and in the server system, combining the objects and creating a file containing a representation of the image data for communication to the client system (col 3, lines 15-20; Fig 2; col 12, lines 5-10).

Referring to Claim 13:

McDonough discloses a system comprising: an interface to a database system (Fig 1, col 3, lines 60-62); an interface to a client system (col 3, lines 45-50); and a controller adapted to receive a request from the client system, receive objects containing geospatial data extracted from the database system in response to the request, and combine the objects into a file that provides a visual representation of the image data (col 7, lines 65-67; col 8, lines 1-20).

Referring to Claim 19:

McDonough discloses an article comprising at least one storage medium containing instructions that when executed cause a server system to: receive a request from a client system for data in a database (col 7, lines 65-67); receive objects containing geospatial data from the database in response to the request; and combine the objects into a file to represent an image that is a composite of the combined geospatial data (col 8, lines 1-20).

Referring to Claims 2, 14 and 23:

McDonough discloses the limitations as discussed in Claims 1, 13 and 22. McDonough further discloses receiving the object comprises receiving objects extracted from an object relational database (col 7, lines 16-18).

Referring to Claim 5:

McDonough discloses the limitations as discussed in Claim 1 above. McDonough further discloses objects containing geospatial data (Fig. 3-5; col 4, line 55).

Referring to Claim 6:

McDonough discloses the limitations as discussed in Claim 1 above. McDonough further discloses objects containing at least one of the following elements: points, lines, and polygons (Fig. 3-5; col 4, lines 20-25).

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Referring to Claims 7:

McDonough discloses the limitations as discussed in Claims 1 above. McDonough further discloses objects containing at least one of the following elements: an image, points, lines, and polygons (Fig. 3-5; col 4, lines 20-25).

Referring to Claim 8:

McDonough discloses the limitations as discussed in Claim 7 above. McDonough further discloses combining the objects comprises combining two or more of the image, points, lines, and polygons (Fig 2; col 8, lines 10-20; col 12, lines 5-10).

Referring to Claims 10 and 24:

McDonough discloses the limitations as discussed in Claims 1 and 19 above. McDonough further discloses receiving a request for plural layers of image data, and wherein receiving the objects comprises receiving objects extracted from the database for the plural layers (col 5, lines 45-51).

Referring to Claim 15 and 21:

McDonough discloses the limitations as discussed in Claim 13 and 19 above. McDonough further discloses the geospatial data contains at least one of an image, points, lines, and polygons (Fig. 3-5; col 4, line 55).

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Referring to Claim 25:

McDonough discloses the limitations as discussed in Claim 19 above. McDonough further discloses a request from the client system is for a first layer of the image, the instructions when executed further causing the server system to receive a second request from the client system for a plurality of layers of the image (col 5, lines 45-51; col 6, lines 5-25).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 4, 9-12, 17-18 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6092076 issued to McDonough et al, herein referred to as McDonough as applied to Claims 1, 2, 5-8, 10, 13-15 19, 21-25 above, and further in view of US 6348927 issued to Lipkin, herein referred to as Lipkin.

Referring to Claims 3 and 17:

McDonough discloses the limitations as discussed in Claim 1 and 13 above.

McDonough does not explicitly disclose the claimed creating a markup language file.

Lipkin discloses creating the file comprises creating a markup language file (col 5, lines 45-55).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify McDonough to create a Markup Language file. One of ordinary skill in the art would have been motivated to do this because it would allow the information to be displayed on a browser (Fig. 1).

Referring to Claims 4 and 18:



McDonough and Lipkin disclose the limitations as discussed in Claim 3 and 13 above. Lipkin further discloses creating the markup language file comprises creating a Virtual Reality Markup Language file (col 5, lines 45-55).

Referring to Claim 9, 11 and 20:

McDonough discloses the limitations as discussed in Claims 8, 10 and 19 above.

McDonough does not explicitly disclose the claimed creating a Virtual Reality Markup Language file.

Lipkin discloses creating the file comprises creating a Virtual Reality Markup Language file (col 5, lines 45-55).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify McDonough to create a Markup Language file. One of ordinary skill in the art would have been motivated to do this because it would allow the information to be displayed on a browser (Fig. 1).

Referring to Claim 12:

McDonough discloses the limitations as discussed in Claim 10 above. McDonough further discloses generating the request for plural layers of image data in response to an interactive user action with respect to the displayed image data (col 5, lines 45-50).

McDonough does not explicitly disclose the claimed “displaying image data represented by the Virtual Reality Markup Language file in the client system”

Lipkin discloses a method of displaying image data represented by VRML (col 7, lines 60-65).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of McDonough to include display images represented by VRML. One of ordinary skill in the art would have been motivated to do this because it would allow a client to view map data from a client computer (Fig. 1).

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6092076 issued to McDonough et al, herein referred to as McDonough.

Referring to Claim 16 and 22:

McDonough discloses the limitations as discussed in Claim 13 and 21 above.

McDonough further discloses the database system comprises a table containing the image, points, lines, and polygons (col 4, lines 20-25).

McDonough does not explicitly disclose the claimed “the objects being extracted from 3 different columns of the table”

However, McDonough discloses that point, line, polygon information is stored in the database. It would have been obvious to one having ordinary skill in the art at the time that the invention was made to modify the teachings of McDonough to store the polygon, lines and point information in 3 different Columns. One of ordinary skill in the art would have been motivated to do this because it would allow efficient access to data.

*Prior Art*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6262741 issued to Davies, Frederick Bryan. Davies discloses a method for displaying a topology having topological features on a display. The method includes dividing the topological region into tessellations. An object-based database is accessed which comprises geometrical objects representing the topological features with each geometrical object associated with a particular tessellation.

US 6058397 issued to Barrus, John et al. Barrus discloses virtual reality environment creation, modification and delivery system stores information representing the virtual reality environment in a database where portions of it may be created, modified or delivered without affecting other portions. The database may be accessed, for example, over a network such as a wide area network, to allow database records to be individually updated without affecting other records in the database.

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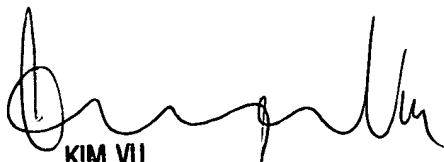
*Conclusion*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 1703-746-7239 for regular communications and 1703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton  
November 12, 2002

  
KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100